

## HOUSE BILL NO. 371

INTRODUCED BY M. LEE

A BILL FOR AN ACT ENTITLED: "AN ACT INCLUDING THE INSTALLMENT OR REPLACEMENT OF SIDEWALKS IN THE DEFINITIONS OF "MAINTENANCE" AND "IMPROVEMENTS" FOR PURPOSES OF CREATING AND MAKING IMPROVEMENTS IN STREET MAINTENANCE DISTRICTS; AND AMENDING SECTIONS 7-12-4401 AND 7-12-4405, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 7-12-4401, MCA, is amended to read:

**"7-12-4401. Street maintenance district authorized -- definition.** (1) Whenever the council of any city or town desires to create a district for the maintenance of all or any part of the streets or avenues of its city or town as provided in this part, it shall provide by ordinance a method of doing the maintenance and of paying for the maintenance under the restrictions and regulations provided in this part.

(2) "Maintenance" as used in this part includes but is not limited to sprinkling, graveling, oiling, chip sealing, seal coating, overlaying, treating, general cleaning, sweeping, flushing, snow removal, leaf and debris removal, the operation, maintenance, and repair of traffic signal systems, the repair of traffic signs, the placement and maintenance of pavement markings, ~~and~~ curb and gutter repair, and the installment or replacement of sidewalks."

**Section 2.** Section 7-12-4405, MCA, is amended to read:

**"7-12-4405. Improvements within maintenance districts -- ordinance required.** (1) (a) Cities and towns may prepare and improve streets, avenues, ~~and~~ alleys, and sidewalks within the maintenance districts so that the maintenance will be of a durable and continuing benefit. The city or town council shall provide by ordinance a method or methods of doing the work and improvements.

(b) For the purposes of this section, "improvements" includes but is not limited to the installation of traffic signs, new curb and gutter construction, ~~and~~ widening of existing streets, and sidewalk installment or replacement.

(2) Cities and towns are authorized to maintain the work and improvements made under

1 subsection (1).

2 (3) At least 12 days must elapse between the day on which the proposed ordinance is introduced  
3 and the day on which final action on the ordinance is taken."

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